

Nays—Senators Ford, Finlay, Fountain, Franks, Gaines, Hall, King, Rawson, Randle, Ruby, Tendick and Tracy—12.

Pending the consideration of the bill, on motion of Senator Shelley, the Senate adjourned to 10 o'clock A. M. to-morrow by the following vote:

Yeas—Senators Avinger, Ball, Cole, Dillard, Dohoney, Evans, Hall, Henry, Saylor, Sayers, Shelley, Word and Mr. President—13.

Nays—Senators Ford, Finlay, Fountain, Franks, Gaines, King, Rawson, Ruby, Swift and Tendick—10.

SENATE CHAMBER,
AUSTIN, TEXAS, March, 20, 1873. {

Senate met pursuant to adjournment Roll called; quorum present. Prayer by the chaplain.

On motion of Senator Avinger, the reading of the journal of yesterday was dispensed with.

On motion of Senator Latimer, Senator Baker, was granted leave of absence until next Monday.

Senator Dohoney submitted the following majority reports of Judiciary Committee No. 1.

Hon. E. B. Pickett, President of the Senate:

SIR: A majority of your Judiciary Committee No. 1, to whom was referred Senate bill No. 195, entitled "An act to regulate proceedings upon *mandamus* and *quo warranto*," after careful consideration, ask leave to report the same back, and recommend its passage.

E. L. DOHONEY,
HENRY C. KING,
A. J. FOUNTAIN,
T. J. WORD.

Hon. E. B. Pickett, President of the Senate:

SIR: After a careful consideration of House bill No. 27, entitled "An act in relation to fences in certain counties," a majority of your Judiciary Committee No. 1 have concluded to report the same back to your honorable body, and recommend its passage, with the accompanying amendments.

E. L. DOHONEY,
F. G. FRANKS,
HENRY C. KING,
A. J. FOUNTAIN.

Amend section one, line twenty-four, by inserting after the word "shall" the words "be deemed guilty of a misdemeanor and."

Same section, amend by striking out all after the word "jurisdiction," in line twenty-five, and down to the word "and," in line twenty-six, and inserting the words "be punished as may be prescribed by law."

Also, amend the caption by striking out the word "certain," and inserting the words "the several."

Senator Henry, chairman of Judiciary Committee No. 1, submitted the following reports:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 1, to whom was referred Senate bill No. 199, entitled "An act to amend the second section of an act concerning divorce and alimony, approved January 6, 1841," having carefully examined the same, instruct me to report it back to the Senate and recommend its passage.

JOHN L. HENRY, Chairman.

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Judiciary No. 1, to whom was referred Senate bill No. 189, entitled "An act concerning private corporations," having carefully considered the same, ask leave to report it back and recommend its passage.

JOHN L. HENRY, Chairman.

Senator Dillard, chairman of the Committee on Printing, submitted the following report:

Hon. E. B. Pickett, President of the Senate:

SIR: Your Committee on Printing, to whom was referred House bill No. 376, to be entitled "An act making an appropriation to pay the printing account of Richardson, Belo & Co., for the Comptroller's office," have carefully investigated the same, and beg leave to recommend that it do pass.

J. E. DILLARD, Chairman.

Senator Avinger offered the following concurrent resolution:

Resolved by the Senate, the House concurring, That the present session of the Legislature will adjourn sine die, on the eighteenth day of April, 1873.

Senator Gaines offered the following substitute for the resolution, viz.:

Be it resolved by the Senate, the House concurring,

That the present session of the Legislature will adjourn *sine die*, at 12 o'clock M. on Thursday, the first day of April, 1873.

On motion of Senator Fountain, the resolution and substitute were referred to the Committee on Retrenchment and Reform.

A message was received from the House informing the Senate that the House had passed Senate joint resolution No. 9, "Ratifying an amendment to section six of article ten of the Constitution of the State of Texas, proposed by joint resolution of the Legislature of the State of Texas, passed May 17, 1871."

Senate bill No. 198, "An act making an appropriation to defray the expenses of distributing blank forms from the Comptroller's office for the assessment of taxes."

House bill No. 435, "An act to authorize the county of Gonzales to build a bridge across the Guadalupe river at or near the town of Gonzales."

Senator Gaines offered the following resolution:

Resolved, That from and after to-day the Senate will meet at 9 o'clock A. M.

Senator Broughton moved to amend by striking out "9 o'clock," and inserting "8:30 o'clock."

Senator Fountain moved to amend the amendment offered by Senator Broughton by striking out "8:30 o'clock," and inserting "8 o'clock." Lost.

The question recurring upon the adoption of the amendment offered by Senator Broughton, the same was put and adopted by the following vote:

Yeas—Senators Avinger, Ball, Broughton, Cole, Do-honey, Evans, Fountain, Gaines, Hall, Henry, Ruby, Saylor, Sayers, Tendick and Word—13.

Nays—Senators Dillard, Ford, Finlay, Franks, King, Rawson, Randle, Shelley, Swift and Mr. President—10.

Senator Ruby moved to reconsider the vote just taken. Carried.

Senator Finlay rose to a question of order, viz., that the question on the resolution should be first put, as the resolution proposed 9 o'clock, and as that was the longest time took precedence of 8:30 o'clock.

The chair decided the point of order well taken.

Senator Saylor moved to lay the whole matter on the table, which was carried by the following vote:

Yeas—Senators Cole, Evans, Ford, Finlay, Franks,

King, Rawson, Latimer, Randle, Saylor, Sayers, Tendick, Tracy and Mr. President—14.

Nays—Senators Avinger, Ball, Broughton, Dillard, Dohoney, Fountain, Gaines, Hall, Henry, Ruby, Swift and Word—12.

The following bills were taken from the President's desk, read first time, and referred to the committees indicated:

House bill No. 79, "An act for the relief of the assignee of Antonio Manchaca." Referred to the Committee on Private Land Claims.

House bill No. 149, "An act to to amend an act entitled an act incorporating the Galveston Artillery Company, approved January 30, 1841." Referred to the Committee on Militia.

House bill No. 203, "An act to establish a ferry across the Trinity river at Prewitt's old mill." Referred to the Committee on Roads, Bridges and Ferries.

House bill No. 196, "An act to amend an act entitled an act to incorporate the city of Calvert, in Robertson county, approved April 12, 1871." Referred to the Committee on State Affairs.

House bill No. 16, "An act to amend the first section of an act entitled an act to amend the seventy-first and ninety-second sections of an act to regulate proceedings in the district courts, approved May 13, 1846."

House bill No. 142, "An act to enlarge the area of Menard county." Referred to the Committee on Counties and County Boundaries.

House bill No. 437, "An act to authorize the County Court of McLennan county to levy a special tax for the purpose of building a court house and jail, and to provide for the safe keeping and disbursement of the revenue arising therefrom."

House bill No. 287, "An act authorizing the County Court of Bosque county to levy a tax for the purpose of building a court house and jail." Referred to the Committee on Finance.

House bill No. 275, "An act supplemental to and amendatory of an act entitled an act to incorporate the Odd Fellows Hall and Building Association of Bryan, Texas, approved December 1, 1871." Referred to the Committee on State Affairs.

House bill No. 238, "An act to authorize the levy of

writs of execution, attachment and sequestration, on neat cattle as they run in the range." Referred to Judiciary Committee No. 1.

House bill No. 237, "An act to authorize the Governor to appoint a registrar and board of appeal and revision in certain unorganized counties therein named." Referred to Judiciary Committee No. 2.

House bill No. 224, "An act to incorporate the State Bank of Texas." Referred to Judiciary Committee No. 2.

House bill No. 337, "An act for the relief of the Hon. Nat. M. Buford." Referred to Judiciary Committee No. 1.

House bill No. 244, "An act to authorize the County Court of Kinney county to levy and collect a special tax for the term of six years to build a court house and jail at the county site of said county." Referred to the Committee on Finance.

On motion of Senator Saylor, the rules were suspended to take up out of its order House bill No. 435, "An act to authorize the county of Gonzales to build a bridge across the Guadalupe river at or near the town of Gonzales." The bill was read first time; rules suspended, read second time; rules further suspended, read third time and passed by the following vote:

Yeas—Senators Avinger, Ball, Cole, Evans, Finlay, Fountain, Franks, Gaines, Hall, Henry, King, Latimer, Rawson, Ruby, Saylor, Sayers, Shelley, Swift and Mr. President—19.

Nays—Senators Ford and Word—2.

Special order, viz., the frontier bill, was then taken up, and read third time.

Senator Fountain moved to amend as follows: Add to section one, "and the troops provided for in this act may, at the discretion of the Governor, be ordered to assemble at convenient points on the frontier for the purpose of organizing, and also to secure the arms, ammunition and equipments necessary for active service."

The amendment was adopted by the following vote:

Yeas—Senators Ball, Broughton, Cole, Evans, Finlay, Fountain, Franks, Gaines, Henry, King, Latimer, Randle, Ruby, Saylor, Sayers, Shelley, Tracy and Mr. President—18.

Nays—Senators Avinger, Dillard, Dohoney, Ford, Rawson, Swift and Word—7.

Senator Fountain also offered the following amend-

ment, viz.: Amend section four, by inserting in line eight, after the word "State," "for the term of one year."

Adopted by the following vote:

Yeas—Senators Avinger, Ball, Broughton, Cole, Dillard, Dohoney, Evans, Ford, Finlay, Fountain, Franks, Gaines, Henry, King, Latimer, Randle, Ruby, Saylor, Sayers, Shelley, Swift and Mr. President—22.

Nays—Senators Rawson and Word—2.

Senator Fountain then moved to adjourn to five o'clock P. M. Lost.

Senator Saylor moved to adjourn to 10 o'clock A. M. to-morrow. Lost by the following vote:

Yeas—Senators Avinger, Dillard, Dohoney, Evans, Gaines, Latimer, Rawson, Saylor, Swift and Tendick—10.

Nays—Senators Ball, Broughton, Cole, Finlay, Fountain, Henry, King, Randle, Ruby, Sayers, Shelley, Tracy, Word and Mr. President—14.

Senator Dohoney moved to adjourn to 7 o'clock P. M. Lost by the following vote:

Yeas—Senators Avinger, Dillard, Dohoney, Latimer, Rawson and Tendick—6.

Nays—Senators Ball, Broughton, Cole, Finlay, Fountain, Gaines, Henry, King, Randle, Ruby, Saylor, Sayers, Shelley, Swift, Tracy, Word and Mr. President—17.

The question recurring upon the final passage of the bill, the same was put, and the bill passed by the following vote:

Yeas—Senators Ball, Broughton, Cole, Finlay, Fountain, Gaines, King, Latimer, Randle, Ruby, Saylor, Sayers, Shelley, Tracy and Mr. President—15.

Nays—Senators Avinger, Dillard, Dohoney, Evans, Henry, Rawson, Swift, Tendick and Word—9.

On motion of Senator Ruby, the Senate adjourned to 10 o'clock A. M. to-morrow.

SENATE CHAMBER.

AUSTIN, TEXAS, March 21, 1873.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by the Rev. Mr. Guinn.

On motion of Senator Avinger, the reading of the journal of yesterday was dispensed with.